

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

GURINDER JOHAL, personal  
representative of the Estate of AMARJEET  
JOHAL, and DILJOT SEKHON, personal  
representative of the Estate of AMARJIT  
SEKHON, and JASPREET SEKHON,  
personal representative of the Estate of  
JASVINDER KAUR, and MARY “CAROL”  
WEISERT, personal representative of the  
Estate of JOHN WEISERT, MATTHEW D.  
ALEXANDER as the Natural Parent and  
Next Friend of KARLI SMITH, Deceased,  
and JEFF BLACKWELL and TAMMI  
BLACKWELL as Natural Parents and Next  
Friends of SAMARIA BLACKWELL,  
Deceased,

Plaintiffs,

v.

AMERICAN TACTICAL, INC., ANTHONY  
DICHARIO, JOSEPH CALABRO,  
SCHMEISSER GMBH, and 365 PLUS  
D.O.O.

Defendants.

Civil Action No. 2:24-cv-03969-BHH

Jury trial requested

**STIPULATION**

The plaintiffs, GURINDER JOHAL, personal representative of the Estate of AMARJEET JOHAL,<sup>1</sup> and DILJOT SEKHON, personal representative of the Estate of AMARJIT SEKHON, and JASPREET SEKHON, personal representative of the Estate of JASVINDER KAUR, and MARY “CAROL” WEISERT, personal representative of the Estate of JOHN WEISERT, and

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<sup>1</sup> Counsel for plaintiff Gurinder Johal, Personal Representative of the Estate of Amarjeet Johal, previously moved to withdraw on the grounds that “Gurinder Johal, Personal Representative of the Estate of Amarjeet Johal, and the Johal Estate Beneficiaries have elected to not participate in this action.” See ECF Docs. 69 and 70. However, that motion was denied as procedurally improper. ECF Doc. 70 (“a motion to withdraw Mr. Chamberlain's appearance is not the proper way to seek such relief.”)

MATTHEW D. ALEXANDER as the Natural Parent and Next Friend of KARLI SMITH, Deceased,<sup>2</sup> and defendants,<sup>3</sup> AMERICAN TACTICAL, INC., ANTHONY DICHARIO, and JOSEPH CALABRO, hereby agree and stipulate to the following pre-answer schedule:

Plaintiffs intend to file a Second Amended Complaint to address issues related to the transfer of this case to South Carolina on or before August 19, 2024;

In lieu of an Answer, Defendants intend to file a Motion to Dismiss pursuant to Rule 12 by October 7, 2024;

Plaintiffs' deadline to file opposition to Defendants' Motion to Dismiss will be filed by November 12, 2024;

Defendants' deadline to file a reply in support of their Motion to dismiss will be filed by November 26, 2024.

The parties request oral argument on the prospective Motion to Dismiss.

The parties do not waive any claims or defenses by entry of this stipulation including all substantive, jurisdictional, and procedural defenses.

Dated: August 6, 2024

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<sup>2</sup> The claims brought by plaintiffs Jeff Blackwell and Tammi Blackwell as Natural Parents and Next Friends of Samaria Blackwell, deceased, were voluntarily dismissed without prejudice on April 9, 2024 (see ECF Doc. 63).

<sup>3</sup> Defendants Schmeisser GMBH and 365 PLUS D.O.O. are foreign entities, have not been served, and have not appeared in this action.

Respectfully submitted,

/s/ Poorad Razavi

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*and Joseph Calabro*

**CERTIFICATE OF SERVICE**

I, J. Michael Montgomery, attorney for the defendants hereby certify that on the 7th day of August, 2024, a true copy of the foregoing was filed through the ECF System and sent electronically to the registered participants as identified on the Notice of Electronic Filing and that paper copies will be served by first-class mail, postage prepaid, upon anyone indicated as a non-registered participant.

/s/ J. Michael Montgomery